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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/753,097	Applicant(s) KORTUM ET AL.	
	Examiner Rashedul Hassan	Art Unit 2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This communication is responsive to the amendment filed on 04/19/2007.

Applicant has amended claims 1, 23-25, 27, and 29.

Applicant has introduced new claims 38-40.

Claims 1-40 are currently pending in this application.

### ***Specification***

Claims 23-28 are directed to a computer-readable medium. Regarding a computer-readable medium, the disclosure only mentions, "In such a system, the remote computing platform may include a computer-readable medium containing computer-readable instructions capable of instructing the platform to initiate presentation of a host graphical user interface (GUI) in connection with a collaborative call" [0020]. As such, the disclosure fails to adequately disclose as to what constitutes the claimed computer-readable medium. In the absence of any evidence of applicant's intent to the contrary, the reasonable interpretation of a computer-readable medium conveyed to one of ordinary skill in the art is appropriate tangible physical article or objects under the meaning of 35 U.S.C 101 and the computer-readable medium recited in claims 23-28 have been interpreted likewise. However, the applicant is encouraged to correct this deficiency in the disclosure.

### ***Claim Objections***

Claim 23 is objected to because of the following informalities:

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Claim 23 recites "GUI[[],]" in line 6 that needs to be corrected to recite "GUI,". Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-22, and 38-40 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 has been amended to recite, "initiating presentation of a graphical user interface (GUI) element **in response to initiation of** a collaborative call" (emphasis added). Support for this limitation is not found in the original disclosure, wherein the graphical user interface is only mentioned to be presented "in connection with" a collaborative call (see line 3 in [0007], line 1 in [0010] and lines 5-6 in [0020]). Claims 2-22 inherit this deficiency by virtue of their dependency from independent claim 1.

New claims 38-40 are added and the independent claim 38 recites, "presenting a graphical user interface (GUI) element **in response to initiation of** a collaborative call"

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(emphasis added). As mentioned above, support for this limitation is not found in the original disclosure, wherein the graphical user interface is only mentioned to be presented "in connection with" a collaborative call (see line 3 in [0007], line 1 in [0010] and lines 5-6 in [0020]). Claims 39-40 inherit this deficiency by virtue of their dependency from claim 38.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 38-40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 38 recites the limitation "wherein the participant status is related to activity by **the call participant**" (emphasis added) in line 8. It is not clear which participant of the "two or more call participants" is intended by the phrase "the call participant" in limiting the activity mentioned in the claim. The claim has been interpreted to mean "activity by a call participant" for further prosecution. Claims 39-40 inherit this indefiniteness by virtue of their dependency from claim 38.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 23-24, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Pickett (US 6,154,465).**

For claim 23, Pickett teaches a computer implemented method and system having a computer-readable medium comprising computer-readable data executed by a processor (implied) to initiate presentation of a host graphical user interface (GUI) (output of the "office attendant type" program which constitutes the GUI of his invention) in connection with a collaborative call (a "collaborative call" is interpreted to be a call between at least two people), the host GUI comprising an administrator icon (172,174,176 or 178 in Fig. 8A, 136,318 or 320 in Fig. 11E) and a listing of call participants associated with the collaborative call (150 in Fig. 8A, also 312 in Fig. 11E), the computer-readable data executable by the processor to initiate presentation of a participant GUI having an appearance different than the host GUI (Pickett teaches causing one or more windows to appear on the computers of particular persons in the office to whom a call has been directed. Column 18 lines 22-52), and to update information presented in the host GUI and in response to a status change of a call

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participant (148 in Fig. 8A reflects the status of the call as mentioned in column 16 lines 21-28. This call status represents the status of "a participant", e.g., the user of the office attendant type program. Furthermore, referring to Fig. 11E and according to column 23 lines 47-64, when icon 316, 318 or 320 is activated resulting in a change of status for a call participant to either in an on-call or off-call status, GUI 310 is updated to list only the participants in on-call status to be displayed in 312).

For claim 24, Pickett further teaches to update participant GUI information in response to the status change of the call participant because using an animated icon implies changing the icon in response to the status change of the call participant.

For claim 26, Pickett further teaches the caller status is selected from a group consisting of an on-call state, an off-call state and a paused-call state since the status indicator 148 in Fig. 8A showing symbols indicating status, such as "active call in progress", "idle", "call on hold" signifies "on-call", "off-call" and "paused-call" states respectively. Furthermore, referring to Fig. 11E, showing a caller in window 312 signifies the status of the caller being in an "on-call" state, wherein not showing the caller in window 312 signifies the status of the caller being in an "off-call" state.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claim 1-3, 5-9, 12-15, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett.**

For claim 1, Pickett teaches a collaborative call method comprising:  
Initiating presentation of a graphical user interface element (window 310 in Fig. 11E) in connection with a collaborative call, the GUI element operable to display a listing of call participants associated with the collaborative call (312 in Fig. 11E); and updating information presented in the GUI element in response to a status change of a call participant (when icon 316, 318 or 320 is activated resulting in a change of status for a



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call participant to either in an on-call or off-call status, GUI 310 is updated to list only the participants in on-call status to be displayed in 312, see c23:47-64). Although Pickett teaches initiating the display of GUI element 310 in connection with a collaborative call, he does not explicitly teach initiating the display of GUI element 310 "in response to initiation of a collaborative call". However, since GUI element 310 is said to be for monitoring a collaborative call, it would imply, or at least make obvious, to a person of ordinary skill in the art to initiate displaying this GUI element in response to initiation of a collaborative call. The motivation for such modification (if the limitation is not already taught by Pickett) would have been to automatically provide monitoring for a collaborative call that has been initiated by the collaborative call set up elements of the GUI.

For claim 2, Pickett further teaches recognizing that a caller joins the collaborative call since recognizing that a caller joins the call is inherently necessary in order to allow the caller to participate in the call and update that status in the GUI presented.

For claim 3, Pickett further teaches using a caller ID service to identify a caller joining the collaborative call (column 18 lines 15-21).

For claim 5, Pickett further teaches tracking a caller status for at least one participant of the collaborative call since monitoring various telephone lines (column 16

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lines 25-28) or a conference call (column 23 line 65 – column 24 line 2) implies tracking caller status for at least one participant of the call.

For claim 6, Pickett further teaches the caller status is selected from a group consisting of an on-call state, an off-call state and a paused-call state since, referring to Fig. 11E, showing a caller in window 312 signifies the status of the caller being in an “on-call” state, wherein not showing the caller in window 312 signifies the status of the caller being in an “off-call” state (c23:47-64). Furthermore, referring to Fig. 8A, the status indicator 148 showing symbols indicating status, such as “active call in progress”, “idle”, “call on hold” signifies “on-call”, “off-call” and “paused-call” states respectively (c16:21-28).

For claim 7, Pickett further teaches tracking a caller metric for at least one participant (Fig. 14).

For claim 8, Pickett further teaches that metric is selected from a group consisting of a call joining time (begin time), a call exiting time (end time) and an on-call duration time (duration) (Fig. 14).

For claim 9, Pickett further teaches generating a collaborative call report (Fig. 14, also “Call Detail Report” icon in Fig. 15)

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For claims 12, Pickett further teaches receiving a signal indicating a desire of a caller to communicate with at least one other caller via the collaborative call since receiving a call signal is a signal indicating a desire of a caller to communicate with at least one other caller via the collaborative call. The dial-pad window 165 in Fig. 8A and call icon 294 in window 290 can be used to initiate a signal or an incoming call can cause a signal to be received by the system indicating a desire of a caller to communicate.

For claim 13, Pickett does not teach updating the GUI element (310 in Fig. 11E) to indicate the desire. However, Pickett teaches, "icon 318 may be used to add additional parties to the conference call... such operations to add additional attendees preferably may be achieved as described earlier in connection with FIGS. 11A-11D" (c23:56-63). 302 of Fig. 11D clearly shows a GUI element that indicates the desire (e.g., "Calling: Ron 237" and "Status: Dialing attendee"), although this GUI element 302 is not an update to the GUI element 310 but an additional GUI element displayed separately. However, it would have been obvious to a person of ordinary skill in the art to modify Pickett to update the GUI element 310 with GUI element 302 instead of displaying it separately. The motivation for such a modification would have been to display fewer GUI elements spread over the display screen so that the user does not get overwhelmed and confused by multiplicity of GUI elements.

For claim 14, Pickett further teaches that the signal is launched in response to a key stroke of the caller since it is inherent that the signal is launched in response to the caller either striking the keys on a telephone set or the numpad of a keyboard or the left/right key of a mouse depending on whether a call is placed using a regular telephone set or icon 294 respectively.

For claim 15, the modified Pickett further teaches updating the GUI element to indicate the desire (as already discussed in the rejection of claim 13) and recognizing subsequent communication by the caller (inherent in order to establish the call). He does not teach updating the GUI element (e.g., 310 of Fig. 11E) to remove the indication. However, it would have been obvious to a person of ordinary skill in the art to remove the indication (e.g., "Calling: Ron 237" and "Status: Dialing attendee") once the call has been placed or terminated. The motivation for such modification would have been to avoid presenting to the user out-of-date or stale messages.

For claims 20, Pickett further teaches the GUI element comprises an administrative feature icon (136,318 or 320 in Fig. 11E), the method further comprising: recognizing that a caller joins the call (inherent as already discussed in the rejection of claim 2); determining that the caller is a call host (if the caller is initiating a call then inherently the system recognizes the caller as a call host); present the GUI element to the host (GUI element of Fig. 11E is presented to the host);

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recognizing that a second caller joins the call (again it is inherent that the system recognizes that a second caller joins the call in order to allow the second caller to participate in the call);

present a different GUI element to the second caller (Picket teaches that an office attendant type program may cause one or more windows to appear on the computers of particular persons in the office to whom a call has been directed. Column 18 lines 22-52);

the different GUI element missing the administrative feature (according to Pickett the participant's window may include, for example an animated icon, caller ID information, etc., and may include one or more icons usable to answer the call. Column 18 lines 22-52).

**Claims 10, 11, 16-19, 25 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett in view of Nakata et al (US 2003/0169291) hereinafter Nakata.**

For claims 10,11, 16-19, 25 and 27-28, Pickett teaches that the report comprises a tracked metric, such as call duration, for at least one participant, such as the host. Pickett does not explicitly mentions that the report comprises a list of participants, a transcript of at least a portion of the call and distributing the report via one of the means consisting of an email, an instant message, a facsimile message and a physical paper message. Pickett also does not mention presenting at least a portion of a transcript in text format within a near real-time chat window associated with the GUI element or

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creating a blog of the collaborative call. Nakata teaches these limitations. Nakata teaches a desktop conference method that displays the speech of the conference participants in text format in near real-time in a chat area 73 (Fig. 7) using a speech-character conversion function ([0047]). Nakata further teaches that the text of the chat area 73 can be stored as data (constituting a report containing a transcript of the collaborative call or a blog) and distributed after the conference is over via email ([0046]). Therefore, it would have been obvious to a person of ordinary skill in the art given the knowledge available at the time of the invention to combine the teachings of Pickett with that of Nakata in order to reach at the present invention. The motivation for combining the teachings would have been to preserve the conference as electronic data to be reproduced at anytime for future reference (Nakata [0049]).

**Claims 1,3-5 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (US 7,010,107) hereinafter Lee.**

For claim 1, Lee teaches a collaborative call method comprising:  
Initiating presentation of a graphical user interface element in connection with a collaborative call, the GUI element operable to display a listing of call participants (1102,1104 and 1106 in Fig 11); and updating information presented in the GUI element in response to a status change of a call participant (1108, 1110 in Fig. 11, column 10 lines 25-39).

Lee does not explicitly teach initiating presentation of a graphical user interface element "in response to initiation" of a collaborative call as argued by the applicant.

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Although, it is noted that Lee explicitly teaches that the customer can choose to monitor the status of the conference by means of the GUI element shown in Fig. 11 “concurrent” with the dialing of the call recipients. Thus clearly the GUI element of Fig. 11 is not presented “before” the call as applicant argues, but “concurrent” to the call. But since presentation of GUI element of Fig. 11 is said to be optional, the Office recognizes that Lee may not disclose “initiating presentation ...in response to initiation of a collaborative call” as claimed. However, since GUI element of Fig. 11 is said to be for “monitoring” the status of a collaborative call (c10: 29), in addition to “moderating”, it would be obvious, to a person of ordinary skill in the art to initiate displaying this GUI element in response to initiation of a collaborative call. The motivation for such modification would have been to automatically provide monitoring for a collaborative call that has been initiated by the collaborative call set up elements of the invention.

For claim 3, Lee further teaches using a caller ID service to identify a caller joining the collaborative call (c6:7-10).

For claim 4, Lee further teaches prompting caller joining the call to speak in connection with identifying the caller (c9:55-59).

For claim 5, Lee further teaches tracking a caller status for at least one participant of the collaborative call (1108, 1110 in Fig. 11, c10:25-39).

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For claims 21 and 22, Lee further teaches the GUI element comprises an administrative feature icon (1108, 1110 in Fig. 11) operable to trigger termination of a web session associated with the collaborative call (c10:25-39), the method further comprising: recognizing that a caller joins the collaborative call (402 in Fig. 4); determining that the caller is a call host (inherent since the system calls the host who is the customer); and initiating presentation of the GUI element on a display associated with the call host (the GUI of Fig. 11 is made available to the host for display) and receiving a signal indicating activation of the administrative feature icon and terminating the web session.

**Claims 29-35, and 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett in view of Bayless et al. (US 6,192,118 B1) hereinafter Bayless.**

For claim 29, Pickett teaches a collaborative call system comprising:

- a computing platform (communication system 50 in Fig. 2) operable to be communicatively coupled to a remote host station (computer 24 in Fig. 2 running "office attendant type" program) and a remote participant station (computer 24 in Fig. 2 running a program in companion with the "office attendant type program);
- a participant status engine executing on the computing platform and operable to track a caller status for at least one participant of the collaborative call (a software/hardware combination in the computing platform that tracks caller status), wherein the caller status is selected from a group consisting of an on-call state, an off-



call state, a currently speaking state, a waiting to speak state, a paused-call state (already discussed in the rejection of claim 6); and

a presentation engine (the "office attendant type program" in combination with program running in companion with the office attendant type program, see c18:33-41) associated with the participation engine, the presentation engine operable to initiate presentation of a first graphical user interface on the remote host station and a different GUI on the remote participation station (already discussed in the rejection of 23 above).

Pickett does not teach tracking a caller status associated with **participants** (emphasis added) of the collaborative call (Pickett teaches tracking call/line status for at least one participant, e.g., the user of the office attendant type program, in order to display call/line status 148 in Fig. 8A, but not for other participants of the collaborative call).

Bayless teaches a collaborative call system wherein he teaches tracking a caller status associated with participants of the collaborative call. Referring to Fig. 38, Bayless teaches grouping call status objects 382 associated with participants of the conference call into a conference call container. Each participant status is tracked and displayed within the call status object 382. For example, the call status object 382 associated with the participant Larry Mason shows active status with duration 0:26 for the call and the call status object 382 associated with the participant Eric Lambiase shows active status with duration 0:31 for the call (see Fig. 34, 38 and c25:29-41, c26:46-67).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Pickett by this teaching of Bayless to arrive at the present invention. The

motivation for such combination would have been to provide more detailed information of the collaborative call to the user.

For claim 30, Pickett teaches the first GUI comprises a list of call participants (150 in Fig. 8A, Pickett mentions, "Also adjacent to the line display ... are user identification display 150, which serve to display the name and/or extension or telephone number of one or both parties to a call" (c16:28-31), also 310 of Fig. 11E shows a list of call participants) . Pickett does not teach the first GUI comprises a status icon for each participant. But Bayless teaches displaying a status icon for each participant (see 382 in Fig. 38). Therefore, it would have been obvious to a person of ordinary skill in the art to modify Pickett with this teaching of Bayless in order to arrive at the present invention. The motivation for such combination would have been to provide more user-friendly user interface by incorporating visual display of icons indicating the status of each participant of the collaborative call.

For claim 31, Pickett teaches a communication engine (software/hardware responsible for providing the call log and call detail report) operable to initiate communication of a call report to the remote host station (Fig. 14 and 15, c38:18-50). Pickett does not explicitly teach initiating communication of a call report "in response to completion of the collaborative call", in other words, although communicating a call report is taught, it is not explicitly stated that such communication is "in response to completion of the collaborative call". Official notice is taken that initiating communication

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of a call report "in response to completion of the collaborative call" was well known in the art at the time of the invention. Therefore, it would have been obvious to a person of ordinary skill in the art to modify the combined invention of Pickett and Bayless to initiate communication of a call report "in response to completion of the collaborative call" as an additional feature for user convenience.

For claim 32, Pickett further teaches an update engine associated with the presentation engine, the update operable to initiate an updating of the first GUI and the different GUI in response to a change in status of a call participant (already discussed in the rejection of claim 23 and 24).

For claim 33, Pickett further teaches a thin client executing at the remote host station because the "office attendant type" program executing at the remote host station can be considered a thin client software since it only handles the user interface where the bulk of the processing is carried out on the servers making up the communication system 50.

For claim 34, Pickett further teaches the collaborative call comprises a conference call via a bridge (c3:30-33, c9:58-67).

For claim 35, Pickett further teaches that the collaborative call comprises a voice over IP (VOIP) call (column 11 lines 24-34, column 13 lines 9-11).

For claim 37, Pickett further teaches a next to speak engine associated with the presentation engine (software modules within the "office attendant type program" providing/handling functionalities of initiating a call), the next to speak engine operable to recognize a desire of a call participant to communicate via the collaborative call (e.g., among many examples, one example is when "join" button 316 in Fig. 11E is pressed, certain software modules in the "office attendant type program" recognizes the desire of the user to communicate via the collaborative call ) and to initiate presentation of an indication of the desire in the first GUI (presentation of an indication of the desire to communicate by pressing the "join" button 316 would have been to show the user among the attendees list 312).

For claim 38, Pickett teaches a computer implemented method comprising:  
presenting a graphical user interface (GUI) element (GUI element 310 in Fig. 11E) in response to initiation of a collaborative call (obvious over Pickett, as already discussed in the rejection of claim 1) having two or more call participants, the GUI element operable to display a listing of the two or more call participants (312 in Fig. 11E, c23:49-51), the listing including a participant status associated with each of the two or more call participants (obvious over Pickett in view of Bayless as already discussed in the rejection of claim 30 above); and

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updating information presented in the GUI element in response to a change in a participant status of a call participant (already discussed above in the rejection of claim 1 and claim 29);

wherein the participant status is related to activity by the call participant during the collaborative call (e.g., in Pickett, regarding GUI 310 of Fig. 11E, the user activating "Add" button 318 or "Remove" button 320. Alternatively, activity in part of any one of the users resulting in either "on-call" or "off-call" status).

For claim 39, Bayless teaches a first participant status associated with a first call participant of the two or more call participants is different from a second participant status associated with a second call participant of the two or more call participants (Fig. 38 shows a first call participant "Larry Mason" with call duration of 0:26 which is different from a second participant status showing call duration 0:31 for the second participant "Eric Lambiase". Alternatively, according to Fig. 38 the one of the participant status could be displayed as "active" using the icon as shown for "Larry Mason" and the other participant's status could be displayed as "on hold" as displayed for "Mark Stoldt").

For claim 40, neither Pickett nor Bayless teaches communicating data to a calendar program of a call participant to populate the calendar program with a scheduled item. However, in the broadest reasonable interpretation, the claimed limitation is met even when a call participant manually and independently schedules a conference call reminder in his/her calendar application, for example in Microsoft

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Outlook. Official notice is taken that the knowledge of scheduling an item in a calendar program like Microsoft Outlook was well known to a person of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to a person of ordinary skill in the art to modify the combined teaching of Pickett and Bayless with this well known knowledge to arrive at the present invention. The motivation for such combination would have been to schedule a reminder in a calendar program to be reminded of the collaborative call in time for convenience.

**Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett in view of Bayless and further in view of Goldman et al. (US 6,134,235) hereinafter Goldman.**

For claim 36, Pickett teaches all limitations of the claim except that the system comprises an interactive voice response unit communicatively coupled to the computing platform and operable to allow a participant to access information associated with the collaborative call via a voice telephone call. Bayless also does not teach this missing limitation. But Goldman teaches the limitation. Goldman teaches that it was a well-known technique at the time of the invention to use IVR unit to allow callers to retrieve specific information using voice commands (column 2 lines 10-13). Therefore, it would have been obvious to a person of ordinary skill in the art given the knowledge available at the time of the invention to combine the teachings of Pickett and Bayless with that of Goldman to use an interactive voice response unit to allow a participant to access information associated with the collaborative call. The motivation would have been to

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allow participants to access information related to the collaborative call at their convenience without waiting for a service representative (Goldman, column 2 lines 16-18).

### ***Response to Arguments***

The examiner acknowledges and appreciates applicant's amendments to the claims filed on 04/19/2007.

Rejections of claims 23-28 under 35 U.S.C 101 as being directed to non-statutory subject matter, made in the Office Action of 01/25/2007, are hereby withdrawn in consideration of applicant's amendments.

Applicant's arguments filed on 04/19/2007 have been fully considered but they are not persuasive.

Applicant points out that Pickett discloses a window including one or more "line displays" representing telephone lines that are available for a particular application [Pickett: c16:15-20]. The Examiner agrees with the Applicant on this point. Applicant argues that the line displays in Pickett indicates a status of telephone lines that are being monitored, as opposed to "a graphical user interface (GUI) element in response to initiation of a collaborative call," as recited in claim 1. The Examiner agrees with the Applicant that Pickett does not disclose the new limitation "in response to initiation of " a collaborative call. Applicant argues that Pickett fails to disclose or suggest a "GUI element operable to display a listing of call participants associated with the collaborative call," as recited in claim 1. The Examiner disagrees. With regard to Fig. 8A, Pickett

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discloses, "Also adjacent to the line displays (as illustrated adjacent to status display 148) are user identification displays 150, which serve to display the name and/or extension or telephone number of one or both parties to a call" (c16:28-31). Since a collaborative call can be interpreted to be a call between two participants, Pickett clearly mentions as shown above, GUI element (user identification display 150) operable to display a listing (the name and/or extension or telephone number) of call participants (one or both parties) associated with the collaborative call. This teaching is also evident in GUI element 310 of Fig. 11E. Regarding Fig. 11E, Pickett explicitly mentions, "window 310 may include window 312 for displaying an identification of all attendees participating in the conference call" (c23:49-51). Regarding Applicant's argument that Pickett fails to disclose, "a graphical user interface (GUI) element in response to initiation of a collaborative call". The Examiner agrees that Pickett does not disclose the new limitation, "in response to initiation of a collaborative call" added to claim 1 by the amendment. However, it has been pointed out in this Office Action that this limitation is obvious over Pickett. Therefore, Applicant's argument is deemed moot in view of the new grounds of rejection.

Applicant argues that Pickett fails to disclose "a listing of call participants associated with the collaborative call," as recited in claim 23. The Examiner disagrees. The reasoning behind the Examiner's disagreement has already been pointed out above in the Examiner's remark with regard to claim 1. Therefore, the rejection for claim 23 as detailed in the Non-Final Office Action still stands.



Applicant additionally argues that Pickett discloses a window that includes line displays to indicate a status of a telephone line, and not "caller status associated with participants of the collaborative call," as recited in claim 29. The Examiner recognizes that Pickett discloses call/line status display 148 in Fig. 8A. However, the Examiner is of the opinion that the disclosed call/line status display 148 simultaneously functions as a "caller status for at least one participant of the collaborative call" (as recited in the original claim 29), e.g., the user of the office attendant type program. The Examiner however recognizes that Pickett's call/line status display 148 in Fig. 8A, does not disclose caller status associated with "participants" of the collaborative call, as amended. But, it has been pointed out in this Office Action that this limitation is obvious over Pickett in view of Bayless. Therefore, Applicant's argument is deemed moot in view of the new grounds of rejection.

Applicant argues that Lee does not disclose or suggest "initiating presentation of a graphical user interface (GUI) element in response to initiation of a collaborative call", as recited in claim 1. The Examiner recognizes that Lee does not disclose the new limitation "in response to initiation of" a collaborative call. However, it has been pointed out in this Office Action that this limitation is obvious over Lee. Therefore, Applicant's argument is deemed moot in view of the new grounds of rejection.

Applicant has also argued that Lee fails to disclose or suggest "updating information presented in the GUI element in response to a status change of a call

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participant,” as recited in claim 1. Instead, the Applicant argues, Lee discloses that the interface is used to moderate the access and participation. Applicant further argues that the interface of Lee is updated in response to the customer’s control selections, not “in response to a status change of the call participants,” as recited in claim 1. The Examiner disagrees. Although the Examiner recognizes that Lee discloses that the GUI element shown in Fig. 11 has optional call control tools including call muting 1112, call hold 1114, and call disconnect 1116 that can be used to moderate the access and participation of each call recipient (c10: 31-39), these features were not relied upon in the rejection. Lee explicitly states that the GUI element of Fig. 11 is for monitoring the status of the conference call (c10:28-31). Lee also mentions that “the customer can watch in real-time as each party is dialed 1110 and then connected 1108” (c10:34-35). There can be no “customer’s control selection”, contrary to the Applicant’s argument, between updating of status from dialing to completion of connection. Fig. 11 shows status 1108 to be “connected” and 1110 to be “ringing”, none of these two status displays could have been caused by customer’s control selections available in the interface of Fig. 11. Furthermore, the Examiner would also like to point out that even if, for the sake of argument, we were to believe that the status display gets updated due to customer’s control selection, still the update would have been “in response to a status change of the call participants”, because customer’s control selection results in a status change of the call participants and the status display gets updated accordingly “in response to the status change”. In other words, the claimed update is “in response to

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the status change", the cause of the status change is irrelevant. Therefore, the Applicants arguments are considered to be not persuasive.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashedul Hassan whose telephone number is 571-272-9481. The examiner can normally be reached on M-F 7:30AM - 4PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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